

TO THE HONORABLE COURT:FILED
COURT OF CRIMINAL APPEALS
5/9/2022
DEANA WILLIAMSON, CLERK

On March 24, 2022, while the parties were awaiting a judgment in this case, the State quietly dismissed its case against Mr. Sanders. A copy of the dismissal is attached.

The State did not notify this Court that it had dismissed the case. Nor did it notify Mr. Sanders. Neither Mr. Sanders, his trial counsel, nor his habeas and appellate counsel were aware of this dismissal until after this Court issued its opinion.

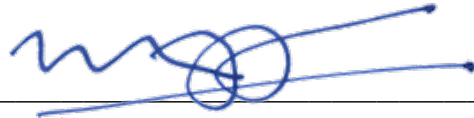
The State's dismissal of the underlying case renders the appeal moot, *Ex parte Thompson*, 685 S.W.2d 338 (Tex. Crim. App. 1985), and insulates this Court's decision from review by the Supreme Court.

Accordingly, under Rule 78.3 of the Texas Rules of Appellate Procedure, and in the interest of justice, please stay the issuance of a mandate, withdraw the opinion, and take further steps consonant with the case's State-created mootness.

CERTIFICATE OF SERVICE

A copy of this *Suggestion of Mootness* will be delivered to the attorneys for the State via email when it is filed through the electronic-filing system.

Thank you,



Mark Bennett

SBN 00792970

Bennett & Bennett

917 Franklin Street, Fourth Floor

Houston, Texas 77002

713.224.1747

mb@ivi3.com

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Mark Bennett
Bar No. 792970
mb@ivi3.com
Envelope ID: 64237044
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Associated Case Party: Nathan Sanders

Name	BarNumber	Email	TimestampSubmitted	Status
Lane AndrewHaygood		lane@haygoodlawfirm.com	5/5/2022 3:22:58 PM	SENT
Mark W. Bennett	792970	eservice@ivi3.com	5/5/2022 3:22:58 PM	SENT
Mark Bennett		mb@ivi3.com	5/5/2022 3:22:58 PM	SENT
Lane A.Haygood		lane@haygoodlawfirm.com	5/5/2022 3:22:58 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Jeffrey Ford	24047280	JFord@lubbockcounty.gov	5/5/2022 3:22:58 PM	SENT
Stacey Soule	24031632	information@spa.texas.gov	5/5/2022 3:22:58 PM	SENT
Jeffery S.Ford		jford@lubbockcda.com	5/5/2022 3:22:58 PM	SENT

Associated Case Party: State Prosecuting Attorney

Name	BarNumber	Email	TimestampSubmitted	Status
John Messinger	24053705	john.messinger@spa.texas.gov	5/5/2022 3:22:58 PM	SENT